APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,366	05/22/2000	Dejan N. Nenov	M-8603 US	1813

7590   07/30/2003

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EXAMINER
NGUYEN, MERILYN P

ART UNIT	PAPER NUMBER
2171	7

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 May 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *Detailed action* .

DETAILED ACTION

1.   In response to the communication dated May 19, 2003, claims 1-28 are active in this

application.

Acknowledges

2.   Receipt is acknowledged of the following items from the Applicant:

The applicant's amendments have been considered and made of record as **Paper**

No. 6.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-3, 7-9, 11, 12, 16, 18, and 22-28 stand rejected under 35 U.S.C. 102(b) as being

anticipated by Mazzamuto (US 5,665,953), as set forth in the previous office action mailed

01/22/03, and reiterated herein below for convenience.

Regarding claims 1 and 8, Mazzamuto discloses a computer system and method for

generating standardized product data (Fig. 1 and 2), comprising:

- o a database (12, Fig. 1 or Fig. 2) operable to maintain data for a plurality of
  known products (See col. 3, lines 15-18), each known product associated with
  a respective standardized product code (See col. 3, lines 31-35); and

- o a processing facility (30, Fig. 2) coupled to the database (12, Fig. 1 or 2), the
  processing facility operable to receive raw data for an unidentified product
  from a plurality of diverse data sources (See col. 4, lines 62-63) each of which
  has its own separate identifier for the unidentified product (See col. 3, lines
  30-31), to compare the raw data for the unidentified product against the data
  for the plurality of known products (See col. 4, lines 63-65), and if there is a
  match between the raw data for the unidentified product and the data for one
  of the plurality of known products, to assign the respective standardized
  product code of the matching known product to the unidentified product (See
  3, lines 31-37 and col. 4, lines 65-66).

Regarding claims 2 and 11, Mazzamuto discloses:

- o the raw data comprises a raw description for the unidentified product (See col.
  3, lines 30-31);

- o the data maintained in the database comprises a separate stored description for
  each of the plurality of known products (See col. 3, lines 35-37); and

- o the processing facility is operable to compare the raw description for the
  unidentified product against the stored descriptions for each of the plurality of
  known products (See col. 3, lines 20-22).

Regarding claims 3 and 12, Mazzamuto discloses:

- o the raw data comprises a number of field values for the unidentified product (See col. 3, lines 30-37);

- o the data maintained in the database comprises separate field values for each of the plurality of known products (See col. 3, lines 35-37); and

- o the processing facility is to compare a predetermined combination of the field values for the unidentified product against corresponding field values for each of the plurality of known products (See col. 3, lines 20-22).

Regarding claims 7, 9, and 18, Mazzamuto discloses an interface coupled to the processing facility (See col. 5, lines 12-13), the interface operable to present the assigned standardized product code to an analyst for auditing (See col. 3, lines 62-65).

Regarding claims 16 and 22, Mazzmuto discloses a computer system and a method for generating standardized product data (Fig. 1 and 2), comprising:

- o a database (12, Fig. 1 or Fig. 2) operable to maintain data for a plurality of known products (See col. 3, lines 15-18), each known product associated with a respective standardized product code (See col. 3, lines 31-35), the data maintained in the database comprising a separate stored description and set of field values for each of the plurality of known products (See col. 3,lines 35-37);

o   a processing facility (30, Fig. 2) coupled to the database (12, Fig. 1 or 2), and operable

to:

   o   receive raw data for an unidentified product from a plurality of diverse data

   sources (See col. 4, lines 62-63) each of which has its own separate identifier

   for the unidentified product (See col. 3, lines 30-31), the raw data comprising a

   raw description and set of field values for the unidentified product (See col. 3,

   lines 30-37),

   o   compare the raw description for the unidentified product against the stored

   descriptions for each of the plurality of known products (See col. 3, lines 20-

   22),

   o   if the raw description for the unidentified product does not match any of the

   stored descriptions for the plurality of known products, compare a

   predetermined combination of the field values for the unidentified product

   against corresponding field values for each of the plurality of known products

   (See col. 3, lines 20-22), and

   o   if the raw description for the unidentified product matches a stored description

   for one of the plurality of known products, or if all of the field values for the

   unidentified product match the corresponding field values for one of the

   plurality of known products for the predetermined combination, assign the

   respective standardized product code of the matching known product to the

   unidentified product (See col. 4, lines 63-66).

Regarding claims 23 and 25, Mazzamuto discloses update the database with the raw data

for the unidentified product, in order to improve future data comparisons (See col. 4, lines

16-22).

Regarding claims 24 and 26, Mazzamuto discloses if there is no match between the raw

data for the unidentified production and the data for any of the plurality of known products, the

processing facility is further operable to create a new standardized product code and assign the

new standardized product code to the unidentified product (See col. 3, lines 49-52).

Regarding claims 27 and 28, Mazzamuto discloses:

- o a database (12, Fig. 1 or Fig. 2) operable to maintain data for a plurality of

     known products (See col. 3, lines 15-18), each known product associated with

     a respective standardized product code (See col. 3, lines 31-35); and

- o a processing facility (30, Fig. 2) coupled to the database (12, Fig. 1 or 2), and

     operable to receive raw data for an unidentified product from at least one of a

     plurality of diverse data sources (See col. 4, lines 62-63), to compare the raw

     data for the unidentified product against the data for the plurality of known

     products (See col. 4, lines 63-65), and if there is a match between the raw data

     for the unidentified product and the data for one of the plurality of known

     products, to assign the respective standardized product code of the matching

     known product to the unidentified product (See 3, lines 31-37 and col. 4, lines

     65-66).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 4, 10, and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over

Mazzamuto (US 5,665,953), in view of Levitsky (US 6,466,948), as set forth in the previous

office action mailed 01/22/03, and reiterated herein below for convenience.

Regarding claims 4, 10, and 17, Mazzamuto discloses all of the claimed subject matter as

set forth above in claims 1, 8, and 16 respectively, except for parsing the raw data into a number

of separate fields values for the unidentified product. On the other hand, Levitsky discloses

parsing the raw data into a number of separate fields values for the unidentified product (See col.

11, lines 14-17, Levitsky et al.). It would have been obvious to one having ordinary skill in the

art to include the parsing step in Mazzamuto system as taught by Levitsky. The motivation

would have been to make the comparing step of Mazzamuto easier since matching each of

separate fields of unidentified product with each of the fields of known product give more

accurate result.

5.   Claims 5, 6, 13-15, and 19-21 stand rejected under 35 U.S.C. 103(a) as being

unpatentable over Mazzamuto (US 5,665,953), in view of Shustorovich (US 5,912,986), as set

forth in the previous office action mailed 01/22/03, and reiterated herein below for convenience.

        Regarding claims 5, 6, 13, 19, and 20, Mazzamuto discloses all of the claimed subject

matter as set forth above in claims 1, 8, and 16 respectively, except for generate at least one

guess and a confidence measure for the at least one guess as to a known product which is a

possible match for the unidentified product. On the other hand, Shustorovich discloses

generating at least one guess and a confidence measure for the at least one guess (See col. 7, line

39 to col. 8, line 23, and col. 14, lines 33-47, Shustorovich et al.). It would have been obvious to

one having ordinary skill in the art to include the step of generating at least one guess and a

confidence measure for the at least one guess, as taught by Shustorovich, to a known product of

Mazzamuto. The motivation would have been to avoid mismatch during comparing process.

        Regarding claim 14, Mazzamuto/Shustorovich disclose presenting the at least one guess,

as addressed above in claim 13, to an analyst for assigning a standardized product code to the

unidentified product (See col. 3, lines 53-55, and 62-65, Mazzamuto et al.).

        Regarding claim 15, Mazzamuto/Shustorovich disclose the raw data comprises a number

of field values for the unidentified product (See col. 3, lines 30-37, Mazzamuto et al.) and the

maintained data comprises separate field values for each of the plurality of known products (See

col. 3, lines 35-37, Mazzamuto et al.), and wherein generating comprises performing a pattern

comparison of the field values for the unidentified product against the field values for each

known product (See col. 3, lines 20-22, Mazzamuto et al.).

Regarding claim 21, Mazzamuto/Shustorovich disclose an interface coupled to the

processing facility (See col. 5, lines 12-13), the interface operable to present the at least one

guess and confidence measure, as addressed above in claim 20, to an analyst for assignment of a

standardized product code (See col. 3, lines 53-55, and 62-65, Mazzamuto et al.).

Response to Arguments

6.   Applicant's arguments filed on 05/19/03 have been fully considered, but they are not

persuasive.

Applicant argues that Mazzamuto does not teach or suggest the assignment of a

standardized product code to an unidentified product. The examiner respectively disagrees. At

col. 3, lines 30-37, pieces of product information such as product identification and description

are raw data. The product code information on a coupon is in machine-readable bar code form,

therefore, the product is unidentified until further comparing the product code information with

the item entries in the memory to find a match (See col. 4, lines 60-65). The matching to the

item entries in the memory device inherently matches to a UPC code. The matched product code

information is assigned a unique identifier so that it can be easily identified. Therefore, the

product now is identified.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Merilyn P Nguyen whose telephone number is 703-305-5177.

The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-746-7239 for regular

communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

MN

July 24, 2003

FRANTZ COBY

PRIMARY EXAMINER